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AUG 21 2006

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Serial No. 10/037,852
63428-063REMARKS

Claims 13 and 19 have been amended, and claim 27 has been cancelled. New claims 34 and 35 have been added. Accordingly, claims 5, 6, 13-21, 29, 30, and 32-35 are pending in the application.

Claim 31 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 31 has been cancelled and the rejection is therefore moot.

Claim 32 was rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. The Examiner contends that the device is disclosed as having serrated balls which are clamped between ball halves and that this would lock the balls or not lock them, depending on the clamping force used. The Examiner contends that it is not understood how one ball could ever be free and the other fixed. Amended claim 32 recites that "one of said arms can be pivoted relative to the other of said arms." Thus, each arm and its respective ball can pivot within the socket relative to the other arm and ball as, for example, described in Applicant's Specification (e.g., page 3, paragraph 15; page 4, paragraph 21). Claim 32 is in condition for allowance.

Claims 6, 13, 16-18, 20 and 27-33 were rejected under 35 U.S.C. §102(b) as being anticipated by Chen. Amended claim 13 recites "each of said first clamp half and said second clamp half having a first outer face generally defining a first plane and a second outer face generally defining a second plane that is non-parallel with said first plane" and that each of the first ball and the second ball are receivable partially within the respective sockets such that the first ball extends through the first plane and the second ball extends through the second plane. Chen does not disclose or suggest a socket having outer faces that define non-parallel planes through which the balls extend. Accordingly, claim 13 and its dependent claims are properly allowable.

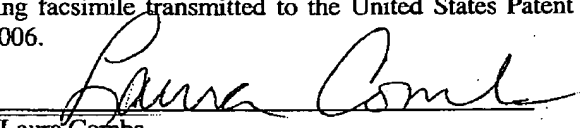
Claims 5, 14-15, 19, and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Herbermann. As explained above, Chen fails to disclose or suggest all of the features of independent claim 13. Therefore, the rejection is moot because claims 5, 14-15,

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CERTIFICATE OF FACSIMILE

I hereby certify that this response is being facsimile transmitted to the United States Patent and Trademark Office, 571-273-8300 on August 21, 2006.



Laura Combs